

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF**

In re the Custody of:

Child(ren),

Petitioner(s),

and

Respondent(s).

**NO.**

**FINDINGS OF FACT AND  
CONCLUSIONS OF LAW  
(FNFCL)**

**I. BASIS FOR FINDINGS**

The findings are based on:

- ☐ agreement.
- ☐ an order of default entered on [Date].
- ☐ trial. The following people attended:
  - ☐ Petitioner.
  - ☐ Petitioner's Lawyer.
  - ☐ Respondent.
  - ☐ Respondent's Lawyer.
  - ☐ Other:

## II. FINDINGS OF FACT

Upon the basis of the court record, the court FINDS:

### 2.1 CHILDREN FOR WHOM CUSTODY IS SOUGHT.

The petitioner is seeking custody of the following child(ren):

### 2.2 COUNTY WHERE CHILDREN RESIDE.

The child(ren) named in paragraph 2.1 permanently reside in this county or can be found in this county.

### 2.3 BASIS OF JURISDICTION.

☐ This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and: retains jurisdiction under RCW 26.27.211.

☐ This state is the home state of the children because

☐ the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.

☐ the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.

☐ any absences from Washington have been only temporary.

☐ Washington was the home state of the children within six months before the commencement of this proceeding and the children are absent from the state but a parent or person acting as a parent continues to live in this state.

☐ The children and the parents or the children and at least one parent or a person acting as a parent, have significant connection with the state other than mere physical presence and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and:

☐ The children have no home state elsewhere.

☐ The children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.

- ☐ All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.
- ☐ No other state has jurisdiction.
- ☐ This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.
- ☐ Other:

#### 2.4 STANDING.

- ☐ The child is not in the physical custody of one of its parents.
- ☐ Neither parent is a suitable custodian for the following reasons:

- ☐ Other:

#### 2.5 BEST INTEREST OF THE CHILD.

The court's conclusions concerning the best interests of the child(ren) are based on the following facts:

## 2.6 LIMITATIONS ON VISITATION.

- ☐ Does not apply.
- ☐ There are no reasons for limiting visitation of either parent.
- ☐ The following reasons exist for limiting visitation of the ☐ father ☐ mother.
  - ☐ Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions.
  - ☐ Physical, sexual or a pattern of emotional abuse of a child.
  - ☐ A history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.
  - ☐ Other:
- ☐ Limitations on visitation with the children will not adequately protect the children from the harm that could result if the children has contact with the ☐ father ☐ mother.
- ☐ Contact between the ☐ father ☐ mother and the children will not cause physical, sexual, or emotional abuse or harm to the children and the probability that the parent's harmful or abusive conduct will recur is so remote that it would not be in the children's best interest to apply the limitations of RCW 26.10.160(1)(a) and (b).
- ☐ The ☐ father's ☐ mother's conduct did not have an impact on the children.
- ☐ Other:

## 2.7 CHILD SUPPORT.

- ☐ Does not apply.
- ☐ There are children in need of support and child support should be set pursuant to the Washington State Child Support Schedule. The Order of Child Support signed by the court on [Date] and the child support worksheet which has been approved by the court are incorporated by reference in these findings.
- ☐ Other:

## 2.8 CONTINUING RESTRAINING ORDER.

- ☐ Does not apply.
- ☐ A continuing restraining order against the ☐ father ☐ mother ☐ both parties is necessary because:

☐ Other:

2.9 ATTORNEY'S FEES, OTHER PROFESSIONAL FEES AND COSTS.

☐ Does not apply.

☐ Each of the parties has sufficient property, income or resources available to pay his or her own respective attorney fees, professional fees and costs.

☐ The petitioner has incurred reasonable attorney fees, other professional fees and costs in the amount of . [Name] has the ability to pay these fees and the petitioner has the need for the payment of these fees as follows:

☐ Other:

2.10 OTHER.

III. CONCLUSIONS OF LAW

The court makes the following conclusions of law from the foregoing findings of fact:

3.1 JURISDICTION.

The court has jurisdiction over the children.

3.2 DISPOSITION.

It is in the best interest of the children to reside with:

3.3 CHILD SUPPORT.

☐ Does not apply.

☐ Child support for the dependent children should be set pursuant to the Washington State Child Support Schedule.

☐ Other:

3.4 VISITATION.

- ☐ Does not apply.  
☐ Visitation should be as follows:

☐ Other:

3.5 CONTINUING RESTRAINING ORDER.

- ☐ Does not apply.  
☐ A continuing restraining order should be entered.

3.6 ATTORNEY'S FEES, OTHER PROFESSIONAL FEES AND COSTS.

- ☐ Does not apply.  
☐ Attorney's fees, other professional fees and costs should be paid as follows:

3.7 OTHER.

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE/COMMISSIONER

Presented by:

Approved by:  
Notice of presentation waived:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Print or Type Name

Print or Type Name